

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Neville Samuel Ward, Jr.

Docket No. 5:12-CR-288-2FL

Petition for Action on Supervised Release

COMES NOW Scott Plaster, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Neville Samuel Ward, Jr., who, upon an earlier plea of guilty to two counts of Possession of a Firearm by a Felon and Aiding and Abetting, in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2), and 2, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on May 8, 2013, to the custody of the Bureau of Prisons for a term of 16 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 24 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
2. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Neville Samuel Ward, Jr. was released from custody on January 24, 2014, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

The defendant reported to the probation office for his initial meeting with the probation officer and submitted a drug screen that was positive for the presence of marijuana. When questioned, the defendant admitted using marijuana following his release from prison on January 24, 2014. Following the defendant's admission, he discussed the short and long-term consequences of his decision to engage in drug use, to include identifying what he can do if placed in a similar situation in the future. He was also placed in the Surprise Urinalysis Program, thus requiring more frequent drug testing. As a result of the violation, it is recommended the conditions of supervision be modified to include participation in a program for the treatment of narcotic addiction, including urinalysis testing or other drug detection measures, in addition to residence or participation in a residential treatment facility. This will allow the probation office to address any future issues regarding substance abuse that might arise.

Additionally, it is also recommended the defendant's conditions of supervision be modified to allow him to make payments in installments of \$25.00 towards the balance of his special assessment, to begin 60 days after the defendant's release from prison. There is presently a balance of \$155.00 remaining to be paid. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall make payments in installments of \$25.00 per month to begin 60 days after the defendant's release from prison until the balance of the financial obligation is paid in full. The probation officer shall take into consideration the defendant's ability to pay the special assessment ordered by the court and shall notify the court of any needed modification of the payment schedule.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

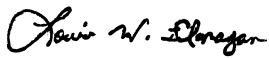
I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller
Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Scott Plaster
Scott Plaster
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: March 5, 2014

ORDER OF COURT

Considered and ordered this 6th day of March, 2014, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge